

Danner, Ward

From: Wilson, Patrick
Sent: Thursday, January 30, 2014 11:33 AM
To: Jennifer DENICOLA
Subject: RE: letter to MHS parents and staff

Good Morning Ms. Denicola (Jennifer),

Thank you for your message.

We understand that you met & spoke with Jeff Scott during his attendance at the Schools Team Meeting down in So. Calif. I hope you found the meeting enlightening. Both Steve & I listened into the schools team meeting via conference call here in No. Calif. Both Steve & I answer to Jeff.

I also understand that you only received the odd number pages from the Agency's derivation memo regarding PCBs in schools. I apologize.

Would you mind providing us with a mailing address that we can mail a copy of the memo to directly? Thanks very much Jennifer.

Best Regards...

From: Jennifer DENICOLA [mailto:jd18@me.com]
Sent: Wednesday, January 29, 2014 8:35 AM
To: Armann, Steve
Cc: Wilson, Patrick
Subject: Re: letter to MHS parents and staff

Steve,

I hope you feel better. There is something going around. I hope you get over it soon.

I would like the original letter you sent to Lyon in early January... maybe the 2nd? I referred to it in my email to you Jan 9th or 13th.

I cc Patrick on this email reply so that he too can see the following.

Lisa Lambert and I had the pleasure of meeting and speaking to Jeff Scott yesterday. I asked him if he would have Patrick provide me with the documentation the EPA used to come up with .2ug for air. In early Jan, Patrick sent me the odd pages only of a document, so I am missing 1/2 the message. I would like him to explain this choice so that I can explain it to the parents and teachers.

I also asked Jeff the question I posed to you in my last email, if a window in a building triggers TSCA 50ppm, then without testing all the caulk in all the windows, wouldn't it be assumed that all the caulk in the building would be under TSCA? The building was built as a whole and the certificate of occupancy was given to a complete building, so it is safe to assume the same building materials, same caulk was used in its entire construction. Jeff said he will look into this.

Lastly, after hearing the issues the EPA and DTSC face yesterday with all schools, I understand this process you putting together for PCBs in schools needs to be a standard across the states. I still do not agree that air testing

alone, in the parameters that have been used to test the air (cold day, no ventilation to move the air around and get a PCBs settled in dust and carpet into the puf carriage, low volume sampler, etc), is sufficient to analyze true exposure. And what I know now, I do not understand the evaluation criteria choice of .2ug for schools when our children are the most susceptible and .0043 is residential risk, .043 is 1 in 100,000 and .43 is 1 in 10,000. So .2 is around 1 in 50,000. How can you say this is our point of departure? This I can discuss with Patrick:)

Even if all of these above assumptions are adopted as EPA standard for testing and evaluating schools then I want to advocate for an additional policy for the EPA. I discussed this with Jeff yesterday.

I understand how hard this is for your agency to develop a plan that will work across the spectrum of schools in our state, let alone the country. Once that plan has been executed in a school and the EPA has quality test results, I suggest that the EPA provide schools with a range of remediation options beginning with minimum requirements (ie:best management practices), up to best case scenarios (ie:full removal of all caulk pre-1979). Just like there is a range of acceptable levels with testing, there should be a range of acceptable remediation options provided by the EPA that associate with that risk range. With these choices, the districts/communities can decide together how they choose to remediate, because they may choose to go above and beyond the EPA minimum requirements. Without the EPA providing remediation options to them, districts/communities would not know that there are choices, let alone what best case scenario (targeting the 1 in 1 million risk) would be. I understand that the EPA feels like whatever they ask Malibu to do they must have the same protocol for other schools with different budgets. That is why this multi-option approach can work for all schools, so that each district can choose what standard works for their budget and their peace of mind. Even if a district/community chooses the minimum requirements at first, by knowing the options, the district can choose a lower risk solution at a later time when funds become available.

There are always choices in life, please empower us, the citizens of the US with those choices so we can make them ourselves. Teach us the best way to be environmentally responsible and give us the power to do it and do it well.

Patrick has told me many times that a 1 in a million risk is EPAs "point of departure" and this is always the number we try to reach, but of course there are times when it is not possible or fiscally responsible. However, if this statement, that 1 in 1 million is the ideal, is not put clearly in writing, along with remediation options that range from minimum requirements to best case scenario, then no one will know this. Every school is different, every school situation is different and if the EPA provides this range of acceptable remediation options to a school, then the EPA has empowered that community to choose what is best for them. By empowering us as a community, the EPA has accomplished their mission to reduce environmental risk to human health and provide the knowledge and tools to do it ourselves. "Give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime."

I hope you will seriously consider adopting this idea.

Sincerely,
Jennifer deNicola

On Jan 29, 2014, at 7:35 AM, Armann, Steve <Armann.Steve@epa.gov> wrote:

Jennifer, thanks for forwarding to me the Districts "cover letter" to my letter. I am home sick for the second day this week. Would you still like me to send you a copy of the letter?

From: Jennifer DENICOLA <jd18@me.com>
Sent: Tuesday, January 28, 2014 11:28 PM
To: Armann, Steve; Wilson, Patrick
Subject: letter to MHS parents and staff

There is that word again "safe"... :)

Just wanted you to see what we all see.

Sincerely,
Jennifer

PS. Patrick, I am still waiting for the even number pages from the document you sent me with only the odd number pages, about the use of .2ug. Just a reminder if you forgot :)

****This email was sent on behalf of Superintendent Lyon.****

Statement from the Superintendent

Yesterday afternoon, the District received a letter from EPA Region IX outlining its preliminary review of the air testing conducted at Malibu High School in December 2013, and the EPA reports that the air samples are well within health thresholds set by the EPA. The letter also specified steps that the EPA wants the District to take, and which we intend to implement, to address aging window caulk across the campus. I can confirm that the District will direct Environ, the environmental engineering firm recently retained by the Board of Education, to create a plan to address this issue.

It is our goal to answer questions regarding health concerns at the Malibu campus with data and expert analysis, and today we now have heard from experts at the EPA that the air in rooms of concern and subsequently tested are safe; however, we know that our work is not yet complete. The EPA's directions focus on Malibu High School, but I want to stress that I am keenly aware that we made promises to the staff at Juan Cabrillo Elementary School to conduct testing on that campus; we shall.

The District will direct Environ to work with these expert observations and directions to develop next steps, and we thank the scientific experts at EPA for guiding our District through this set of emotional and challenging questions.

I am hopeful that our continued efforts to access and rely on scientific experts will help build confidence in our commitment to answer honestly the questions that people have and to build confidence that our Board of Education is committed to ensure that all employees and students attend school in safe and healthy learning environments.

For your information, I attached the letter from the EPA.

Respectfully,
Sandra Lyon
Superintendent
Santa Monica-Malibu Unified School District
310.450.8338, ext. 70240 or 70229
310.581.1138 (fax)